

PROFESSIONAL RESUME

NAME Herbert L. Lyon

BIRTH PLACE Memphis, Tennessee

ADDRESS Home: 3407 Memorial Crest Boulevard
Houston, Texas 77007

Office: 3407 Memorial Crest Boulevard
Houston, Texas 77007

TELEPHONE 713.802.9300

MARITAL STATUS Widower, three adult children

MILITARY U.S. Army & U.S. Army Reserve
Honorable Discharge

PROFESSIONAL ASSOCIATIONS National Association of Forensic Economics

HONORS AND AWARDS Honors Program, University of Memphis
Simon & Gwynn Marketing Award
Kappa Sigma Academic Scholarship
Who's Who in American Universities
Beta Gamma Sigma, Business Scholarship Society
Omicron Delta Kappa, Leadership Society
William Fackler Award, Executive MBA Council
Distinguished Faculty Award, EMBA Alumni Association

EDUCATION B.B.A. (*Cum Laude*), University of Memphis
M.S., University of Illinois @ Urbana
Ph.D., University of Illinois @ Urbana

BUSINESS EXPERIENCE Southern Bell Telephone Company, Traffic Engineer
City of Lexington Health Department, Merit System Council
Transit Authority (METRO) of Lexington, Kentucky, Board of Directors
METRO Operating and Management Committee, Chairman
Softball Country Club, Inc., Houston, Board of Directors
Lonestar Software, Inc., Houston, Board of Directors
Klein BancShares, Houston, Board of Directors, Advisory
Eagle Group, Inc., Hartford, Board of Directors
LINC Manufacturing, Inc., Houston, Board of Directors

**ACADEMIC
EXPERIENCE**

Professor *Emeritus*, C.T. Bauer College of Business, University of Houston, 2004 - present

Professor of Marketing, C.T. Bauer College of Business, University of Houston, 1977 - 2003 (Retired)

Professor of Business Administration, College of Business & Economics, University of Kentucky, 1975 - 1977

Associate Professor of Business Administration, College of Business & Economics, University of Kentucky, 1970 - 1975

Assistant Professor of Business Administration, College of Business & Economics, University of Kentucky, 1968 - 1970

Instructor, College of Business & Economics, University of Illinois, 1967 - 1968

Research Assistant, Bureau of Business and Economic Research, University of Illinois, 1964 - 1967

**ADMINISTRATIVE
EXPERIENCE**

Chairman, Executive MBA Board of Directors, C.T. Bauer College of Business, University of Houston, 1993 - 1995

Associate Dean, International and Executive Programs, C.T. Bauer College of Business, University of Houston, 1980 - 1983 and 1988 - 1991

Director, Executive MBA Program, C.T. Bauer College of Business, University of Houston, 1977 - 1980 and 1986 - 1993

Associate Dean, The Graduate College, University of Kentucky, 1972 - 1977

Assistant Dean, College of Business & Economics, University of Kentucky, 1971 - 1972

Director of Graduate Studies, Department of Business Administration, University of Kentucky, 1970 - 1971

**PROFESSIONAL
EXPERIENCE**

Vice-Chairman-Finance, National Executive MBA Council, 1988 - 1990

National Program Committee, Executive MBA Council, Mexico City meeting, 1993

National Program Committee, Executive MBA Council, San Antonio meeting, 1989

Editorial Board, *Business Perspectives*, 1970 - 1973

External Reviewer, *The Review of Economics and Statistics* and *Decision Sciences*, 1969 - 1973

Curriculum Development Committee, American Institute of Decision Sciences, 1969 - 1971

**INTERNATIONAL
EXPERIENCE**

Managed and taught C.T. Bauer College of Business graduate study abroad programs in England, Scotland and Italy, 1985 - 1989

**INTERNATIONAL
EXPERIENCE**

International Trade Center (ITC/GATT), Geneva, Switzerland. Consultant for economic and marketing graduate education program design in Guanzhou, China and Shanghai, China, 1988 - 1989

China National Arts & Crafts Import and Export Corporation. Consultant on international marketing management/export issues in the furniture division, Shanghai, China, 1987

Shanghai Institute of Foreign Trade. Lectured on international marketing and economic issues, Executive Management Program, Shanghai, China, November 1987

USSR Academy of Sciences, Vozensky Institute of Economics and Finance. Lectured on foreign trade, international marketing and marketing planning, Executive Management Program, Moscow and Leningrad, USSR, May 1989

USSR Academy of Sciences. Lectured on international marketing management, Executive Management Program, Alma-Ata, USSR, November, 1989

USSR Academy of Sciences, Vozensky Institute of Economics and Finance. Lectured on economic trends in America and Western Europe, Executive Management Program, Leningrad, USSR, November 1989

USSR Academy of Sciences, Vozensky Institute of Economics and Finance. Lectured on economics and international marketing, Executive Management Program, Moscow and Leningrad, USSR, May 1990

USSR Academy of Sciences, Vozensky Institute of Economics and Finance. Lectured on economics and international marketing, Executive Management Program, Moscow and Leningrad, USSR, May 1991

Extensive foreign travel to various countries including U.S.S.R., Czechoslovakia, Ecuador, Finland, Germany, Hungary, China, Italy, Saudi Arabia, Guatemala, Romania, Italy, Spain, Singapore, Austria, Mexico, Great Britain, Switzerland, Belize and France among others.

**TEACHING
EXPERIENCE
(ACADEMIC)**

Managerial Economics, MBA
Business and Public Policy, MBA
Marketing Planning and Strategy, MBA
Marketing Management, BBA & MBA
Legal Regulation in Marketing, MBA
Operations Research, BBA, MBA & PhD
International Marketing, BBA & MBA
International Business, MBA
Marketing Research, BBA & MBA
Sales Management, BBA & MBA
Statistics, MBA

**TEACHING
EXPERIENCE
(EXECUTIVE)**

Center for Executive Education, C.T. Bauer College of Business, University of Houston and College of Business & Economics, University of Kentucky. Lectured for executive education programs on various marketing and economic topics. Executive programs include The Executive Development Program, Executive Mid-Management Program, Management Communications, Marketing Planning and Strategy Program, Legal and Regulatory Environment of Business and Marketing Professional Services: Attorneys.

**BOOKS AND
MONOGRAPHS**

Ford, Neil M. and Lyon, Herbert L. *Personal Income in Illinois Counties: 1950-2020*. Urbana, Illinois: Bureau of Economic and Business Research, University of Illinois, 1967.

Lyon, Herbert L. "Computer and Management Science Applications in Retailing," contributor to *New Dimensions in Retailing*. John K. Ryans, Editor. Belmont, California: Wadsworth Publishing Company, Inc., 1970.

Ivancevich, John M. and Lyon, Herbert L. *Organizational Climate, Job Satisfaction, Role Clarity and Selected Emotional Reaction Variables in a Hospital Milieu*. Lexington, Kentucky: Bureau of Business Research, University of Kentucky, 1972.

Lyon, Herbert L. and Ivancevich, John M. *General Business*. New York: Harcourt Brace and Jovanovich, Inc., 1976.

Lyon, Herbert L., Ivancevich, John M. and Donnelly, James H. *Management Science in Organizations*. Pacific Palisades, California: Goodyear Publishing Company, Inc., 1976.

Lyon, Herbert L. *An Analysis of The Real Estate Profession in Kentucky*. Lexington, Kentucky: Center for Real Estate and Land Use Analysis, University of Kentucky, 1976.

Ivancevich, John M., Lyon, Herbert L. and Adams, David P. *Business In a Dynamic Environment*. St. Paul: West Publishing Company, Inc., 1979.

Ivancevich, John M., Lyon, Herbert L. and Adams, David P. *Introduction to Business*. St. Paul: West Publishing Company, Inc., 1983.

**TECHNICAL
PAPERS**

Lyon, Herbert L. and Donnelly, James H. *The Economic Impact of the University of Kentucky on the Lexington Metropolitan Area*. Lexington, Kentucky: Office of Institutional Planning, University of Kentucky (IP-S-210), 1972.

**JOURNAL
ARTICLES
AND
PROCEEDING
PAPERS**

Lyon, Herbert L. and Simon, Julian L. "The Price Elasticity of Demand for Cigarettes in the United States," *American Journal of Agricultural Economics*, Vol. 50, No. 4, November 1968. Reprinted in part in *Business Week*, December 21, 1968.

Strawser, Robert H., Ivancevich, John M. and Lyon, Herbert L. *Journal of Accounting Research*. Vol. 7, No. 2, Fall 1969

Lyon, Herbert L. "The Utility of Using Extraneous Information in Sales Forecasting," *American Marketing Association Conference Proceedings*, Fall 1969.

Lyon, Herbert L. and Ivancevich, John M. "Dummy variables: A Practical Aid to Sales Forecasting," *Journal of Business Administration*. Vol. 1, No. 2, Winter 1969.

Lyon, Herbert L. and Thalheimer, Richard. "Inter-SMSA Variations in Retail Sales," *The Southern Journal of Business*. Vol. 5, No. 2, 1970.

**JOURNAL
ARTICLES
AND
PROCEEDING
PAPERS**

Ivancevich, John M., Donnelly, James H. and Lyon, Herbert L. "A Study of the Impact of Management by Objectives on Perceived Need Satisfaction," *Personnel Psychology*, Vol. 23, No. 2, Summer 1970.

Lyon, Herbert L. "A Unified Approach to Quantified Training in Marketing," *Decision Sciences Proceedings*, Fall 1970.

Lyon, Herbert L., Ivancevich, John M. and Donnelly, James H. "A Motivational Profile of Management Scientists," *Operations Research*, Vol. 19, No. 5, 1971.

Laughunn, D.J. and Lyon, Herbert L. "The Feasibility of Tax Induced Price Increases as a Deterrent to Cigarette Consumption," *Journal of Business Administration*, Vol. 3, No. 3, 1972.

Spruill, M. Lynn and Lyon, Herbert L. "Misconceptions on Optimality in Two-Person Zero Sum Games," *Decision Sciences*, Vol. 3, No. 3, 1972.

Ivancevich, John M. and Lyon, Herbert L. "Organizational Climate and Job Satisfaction in a Hospital Milieu," *Decision Science Proceedings*, Spring 1972.

Ivancevich, J. M. and Lyon, H. L. "An Analysis of Employee Perceptions of Organizational Climate in Hospital Environments," *Decision Sciences Proceedings*, Spring 1973.

Johnson, Keith H. and Lyon, Herbert L. "Experimental Evidence on Combining Cross Section and Time Series Information," *The Review of Economics and Statistics*, Vol. 55, No. 4, 1972.

Lyon, Herbert L. and Spruill, M. Lynn. "Alternative Nonlinear Models for Use in Economic Planning," *Decision Sciences Proceedings*, Spring 1974.

Etzel, Michael J., Ivancevich, John M., Lyon, Herbert L. and Walker, Bruce J. "A Modified Nominal Group Process Based Upon Group Development Concepts," *Public Personnel Management*, Vol. 3, No. 5, 1974.

Lyon, Herbert L. and Ivancevich, John M. "An Exploratory Investigation of Organizational Climate and Job Satisfaction in a Hospital," *Academy of Management Journal*, Vol. 17, No. 4, 1974.

Wallace, Marc J., Ivancevich, John M. and Lyon, Herbert L. "Measurement Modification for Assessing Organizational Climate in Hospitals," *Academy of Management Journal*, Vol. 18, No. 1, 1975.

Lyon, Herbert L. and Burgess, Richard C. "Estimates of Effective Buying Income Elasticities in Canadian and United States Metropolitan Areas," *Journal of Business Administration*, Vol. 6, No. 2, 1975.

Lyon, Herbert L. and Johnson, Keith H. "Cross-Section Specification Bias: Comments and Empirical Tests," *Decision Sciences Proceedings*, Spring 1975.

**JOURNAL
ARTICLES
AND
PROCEEDING
PAPERS**

Lyon, Herbert L. and Ivancevich, John M. "A Multivariate Investigation of Hospital Size and Perceived Need Satisfaction," *Decision Sciences Proceedings*, Fall, 1976.

Ivancevich, John M. and Lyon, Herbert L. "The Shortened Workweek: A Field Experiment," *Journal of Applied Psychology*, Vol. 62, No. 1, 1977.

Lyon, Herbert L. and Ivancevich, John M. "A Behavioral Study of Nurses, Supervisors and Diagnosticians in a Hospital Setting," *Decision Sciences*, Vol. 9, No. 2, 1978.

Etzel, Michael J. and Lyon, Herbert L. "Don't Overlook the Community Newcomer." *The Bankers' Magazine*, Vol. 161, No. 4, 1978.

Lyon, Herbert L. and Spruill, M. Lynn. "A Regional Analysis of Cigarette Price Elasticities in the United States," *Decision Sciences Proceedings*, 1979.

**BUSINESS
CONSULTING**

Consulted since 1968 with large and small businesses in various industries on marketing and business issues including sales forecasting, market analysis, marketing planning, strategic planning, employee surveys, market surveys and customer surveys. Representative clients include Brown & Root, Deloitte & Touche, General Refractories, Houston Bank of Commerce, IBM, Kentucky Fried Chicken, LINC Manufacturing, Milchem Corporation, Ninf's, Oshman Sporting Goods, Pizza Hut, Rand McNally, Shell Oil Company, Shell Technology Ventures, Square D Corp.; Star Furniture, Western Oceanic and among others.

**LITIGATION
CONSULTING
(Legal Firms)**

Consulted since 1970 with plaintiff and defense law firms on economic and marketing issues including lost profit analysis, definition of geographic and product markets, sales forecasting, channels of distribution, sales and marketing effort, marketing research and loss of earning capacity analysis. Representative client firms include Ahmad, Zavitsanos & Anaipakos; Baker & Botts; Baker & Hostetler; Barnett & Craddock; Beirne, Maynard & Parsons; Bracewell & Patterson; Carrington, Coleman, Sloman & Blumenthal; Crain, Caton & James; Foley & Lardner; Fulbright & Jaworski; Greenberg Traurig; Glickman & Hughes; Hagans, Bobb and Burdine; Hays, McConn, Rice and Pickering; Helm, Pletcher, Hogan, Bowen & Saunders; Jackson & Walker; Jenkins & Gilcrest; Kilbride, Cullen & Morrison; LeJune & Singer; Mayor, Day, Caldwell & Keeton; Miller, Canfield, Paddock & Stone; Morgan & Weisbrod; Nathan, Sommers, Lippman, Jacobs + Gorman; Pillsbury Winston; Schwartz, Junell, Campbell & Oathout; Susman Godfrey; Tekell, Book, Matthews & Limmer; Thompson, Coe, Cousins & Irons; Vickery, Kilbride & Gilmore; Vinson & Elkins; Webb, Stokes & Sparks; Weil, Gotshal & Manges and Tavormina & Young among others.

**LITIGATION
CONSULTING
(Businesses)**

Representative business clients for litigation matters include ABC/Capital Cities; AIG; Carnival Corporation; Equitable; Ernst & Young; Grocer's Supply; Halliburton Energy Services; Hitachi Cable of America; Houston Northwest Medical Center; Houston Post; ISK Magnetix; Jindal United Steel; K-Mart; Kam Controls; Kwik-Kopy; Mobay Synthetics; Monsanto Company; Nokia; Pace American; Ryland Homes; Public Service of Oklahoma; Reliant Energy-Entex; St. Luke's Hospital; Shell Oil; Texaco; Texas Lawyer; Towers Perrin Company; Twentieth Century Fox; UDVNA; Waste Management; and Yamaha Corp.

HERBERT L. LYON
CASE ASSIGNMENTS, 2007-2014

2007

Jose Rivas v. Atlantic Sounding Company, Inc. and Weeks Marine, Inc., 229th Judicial District, Starr County, Texas, (D, Deposition)

The York Group, Inc. v. Horizon Casket Group, Inc., et al. U.S. District Court (Houston), (P, Deposition, Settled)

The York Group, Inc. v. York Southern, Inc., Ellis Melton Company, et al. U.S. District Court (Houston), (P, Deposition, Settled)

Hybrid Patents, Inc. v. Charter Communications, Inc., U.S. District Court (Marshall), (P, Deposition, Trial)

Gaines Watkins v. Input/Output, Inc., U.S. District Court (Houston), (P, Trial)

2008

Micah Ray et al. v. Houston Helicopters, Inc., et al., 229th Judicial District, Brazoria County, Texas, (D, Deposition, Trial)

John Vaglica v. Hewlett-Packard, U.S. District Court (Houston), (P, Trial)

Matthew Kamphuis v. Premium Grass Farms, Inc., et al., 23rd Judicial District, Matagorda County, Texas, (D, Deposition, Settled)

2009

Cynthia R. Henson v. Powers, Rogers & Smith, P.C., 160th Judicial District, Dallas County, Texas, (P, Deposition, Settled)

Alan Petrie v. UDR Texas Properties L.P., et al., 295th Judicial District, Harris County, Texas, (D, Deposition, Settled)

DW Industries, Inc., et al. v. Dentsply International, Inc. American Arbitration Association, Chicago, (D, Arb. Hearing)

2010

American Piledriving Equipment, Inc. v. Pile Equipment, Inc., U.S. District Court (Jacksonville), (D, Deposition, Sum. Judg.)

Mario Elizondo v. Amigos Meat Distributors, L.P., et al., 334th Judicial District, Harris County, Texas, (D, Deposition, Trial)

2011

Juan Bravo v. Mia Reed & Company, et al., 11th Judicial District, Harris County, Texas, (D, Deposition, Settled)

Raul Mendoza, et al. v. Luis Martinez Framing, et al, 80th Judicial District, Harris County, Texas, (D, Deposition, Trial)

Erik Larsen v. T & T Offshore, Inc., 151st Judicial District, Harris County, Texas, (D, Trial)

HERBERT L. LYON
CASE ASSIGNMENTS, 2007-2014

2012

B. R. Jerry v. Fluor Corporation, U.S. District Court (Houston), (P, Trial)

Miguel Garcia, et al. v. Willie D. Williams, et al. 152nd Judicial District, Harris County, Texas (D, Deposition, Settled)

2013

Kristi Davidson v. Fab It Custom d/b/a Whiplash Suspensions & Manufacturing Co., et al. 241st Judicial District, Smith County, Texas (D, Deposition, Settled)

2014

OneBeacon Insurance Company [Plaintiff/Defendant] v. E. Wade Welch & Associates [Defendant/Plaintiff], U.S. District Court (Houston), (D/P, Deposition)

FEE STATEMENT

A fee of \$250 per hour is being charged for the time spent reviewing documents and records, performing any necessary analysis and rendering my professional opinions in this matter. My fee is not contingent upon nor is it tied to the final disposition of this matter. I have no personal business or financial relationship with any individual or organization involved in this matter.

Herbert L. Lyon, Ph.D.

INVOICE

HERBERT L. LYON, PH.D.
3407 MEMORIAL CREST BOULEVARD
HOUSTON, TEXAS 77007

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(713) 880-0970 (FAX)

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TO:

JENNIFER HANCOCK, ESQUIRE
BROWN SIMS
1177 WEST LOOP SOUTH
10th FLOOR
HOUSTON, TEXAS 77027

September 25, 2014

CASE REFERENCE
Mr. Mark Ryan

INVOICE NUMBER:
0914-032

For professional time during the months of May-Sep 2014 for file organization; reading various file documents; reading depositions (Ms. Ryan & Dr. TDV); annual earnings analysis; analyze earnings/ tax documents; internet data / information search; setting up computer damage models (3) and PCD models; data entry and verification; computer runs/analysis (damages & PCD); preparing expert report; telephone conferences with (JH), & (Dr. MW) and legal assistant at Brown Sims.

Professional Time, 27.25 Hours @ \$250/Hr. \$6,812.50

Direct Expenses \$0.00

TOTAL DUE \$6,812.50

THANK YOU VERY MUCH FOR YOUR BUSINESS

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